

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
JUNE 16, 1965

This regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, June 16, 1965, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN(arrived 8:07 p.m.),  
CULBERTSON, DOW, WALTON and  
KIRSTEN(Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, Administrative Assistant Peterson, Planning Director Schroeder, and City Attorney Mullen (arrived at 8:05 p.m.).

MINUTES Minutes of June 2, 1965 and June 9, 1965 were approved as written and mailed on motion of Councilman Dow, Culbertson second.

PUBLIC HEARINGS

SCREENING  
REQUIREMENTS  
ORD. NO. 793  
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Kirsten called for public hearing on the proposal to amend Chapter 27 (zoning ordinance) of the City Code to require a solid masonry, wooden or living screening fence between non-residential land uses located in the C-P Commercial-Professional Office District, C-1 Neighborhood-Commercial District, or C-2 General-Commercial District and any adjacent residential zone. There was no one in the audience who wished to speak either for or against the proposal. No written communications concerning the proposal were received. (City Attorney Mullen arrived.) Councilman Culbertson said he would like something other than a solid masonry fence only. On being questioned by Councilman Dow, City Manager Graves said some cities in California require solid masonry fence while other cities permit other types such as live screening. One of the problems with live screening is that it may not be properly taken care of but allowed to die or remain untrimmed. (Councilman Brown arrived.) City Attorney Mullen said it should be the obligation of the owner of the commercial property to provide the screening, but if it is limited to solid masonry there may be some question as to validity. Councilman Dow felt the type of business should determine the type of screening required. City Manager Graves said there could be a problem of enforcement if wooden or living screening were allowed. Councilman Culbertson remarked that the ordinance infers that the fence will be maintained. Councilman Walton felt that enforcement would not be a problem. Councilman Brown was of the opinion that some places would need masonry fences while others could have other types of screening - it depended on the business. After further discussion, Councilman Culbertson moved the introduction of Ordinance No. 793 requiring a solid masonry or solid wood fence six feet in height and maintained in good condition, for the length of the boundary line between the C-P, C-1 and C-2 zones and residential zones, excluding the required front yard or street side yard where the property shall be landscaped or screened by a three and one-half-foot solid fence of the same material. His motion was seconded by Councilman Walton and carried. After discussion of the possible use of other materials, it was moved by Councilman Culbertson that Ordinance No. 793 as introduced be amended to permit

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a solid fence of such other material as approved by the Director of Public Works. The motion was seconded by Councilman Dow and carried.

#### PLANNING COMMISSION

At its meeting of June 14, 1965, the Planning Commission took the following action:

1. Approved the request of the Temple Baptist Church to use a vacant dwelling on the south side of West Pine Street between Avena and Crescent as a temporary Sunday School building for six months between the hours of 9 a.m. and 10 p.m.
2. Continued the request of Maurice O. Ray, Jr., to erect a convalescent home for emotionally-disturbed patients at the southwest corner of Ham and Iris Drive.
3. Approved the revised site plan of the Bethel Open Bible Church at the northeast corner of Ham and Sylvia Drive, subject to certain conditions.
4. Denied the request of Mr. Harry Trovinger for a variance in the required street side yard at 677 East Lockeford Street.
5. Determined that a public need did not exist for a proposed 179-foot-long cul-de-sac on the east side of South Ham Lane between West Lodi Avenue and Sylvia Drive.
6. Referred three cross-sections for Cherokee Lane from Vine Street south to the Chamber Civic Affairs Committee for review and recommendation.

#### APPOINTMENTS

Mayor Kirsten stated that he had contacted Richard March and James McCarty of the Planning Commission, Dr. W. J. Coffield and Verne Howen of the Library Board of Trustees, and A. E. Sperring and A. D. Tussey of the Personnel Board of Review in regard to their terms which expire on June 30 and they had all stated their willingness to serve another term. On motion of Councilman Walton, Brown second, the above named persons were reappointed to serve another term on their respective boards or commissions by unanimous vote of the City Council.

#### REPORTS OF THE CITY MANAGER

##### CLAIMS

Claims in the amount of \$53,626.41 were approved on motion of Councilman Culbertson, Dow second.

##### POWER LINE CROSSING

Mr. Graves presented an agreement between the City and the Southern Pacific Company for a power line crossing over the Company's railroad right of way at Tokay Street. On motion of Councilman Brown, Walton second, the City Council adopted Resolution No. 2829 authorizing the Mayor to execute the agreement on behalf of the City.

##### RES. NO. 2829 ADOPTED

#### ORDINANCES

##### REZONING SW CORNER OF HAM AND ELM TO C-1

ORDINANCE NO. 792, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING CERTAIN PROPERTY LOCATED AT THE SOUTHWEST CORNER OF HAM LANE AND ELM STREET TO BE IN THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT", having been introduced at the regular meeting of June 2, 1965, was brought up for passage on

##### ORD. NO. 792 ADOPTED

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motion of Councilman Culbertson, Walton second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, WALTON  
and KIRSTEN

NOES: Councilmen - None

ABSTAIN: Councilmen - DOW (because of direct interest)

#### 1965-66 OPERATING BUDGET

The Council then continued its study of the budget from the June 9 meeting by giving consideration to the special payments in the City Clerk's budget. These include \$500 to the Woodbridge Irrigation District in connection with the City's use of the WID canal for storm water; \$1500 requested by the Lodi Grape Festival and National Wine Show, \$7,000 requested by the Lodi District Chamber of Commerce, and \$500 requested by the Junior Chamber of Commerce for promotion; \$1350 requested by the San Joaquin County Safety Council; and \$1250 for the annual audit.

#### CHAMBER OF COMMERCE

Mr. Les Dabritz, Manager of the Chamber of Commerce, submitted a summary of the 1964-65 activities for which funds from the City had been used and a summary of the 1965-66 plans for advertising and promotion. Mr. James Babcock, President of the Chamber, said it would be difficult to determine how much could be justified for administrative costs due to the advertising. He stated that of 32 chambers surveyed in cities approximately the size of Lodi, all were allowed to use a portion of the advertising funds received from their cities for administration. It was brought out that the City is paying approximately 20% of the total Chamber budget. City Attorney Mullen said there were no legal decisions in the State concerning use of advertising funds for administrative costs. Mayor Kirsten felt it was proper for the City to share in personnel costs. Councilman Walton said he was not objecting to using money for administration, but wanted to know where the money was going. Councilman Dow objected to the City paying the cost of commercial promotions; he felt such use could not be justified. Councilman Culbertson said the City should be given a better accounting of where the money goes; it should not be too difficult to set up an accounting system with account numbers for the various projects so that the Council would have a breakdown of how the money was spent. Mayor Kirsten said such accounting would be complicated. City Attorney Mullen said that in the past the Council had been satisfied with a general explanation of how the money was spent.

Mr. Dabritz said he was willing to go along with the best interests of the City, but that this was a rebuilding year for the Chamber in which they would be developing new programs and the problem of allocating administrative costs could be difficult. Councilman Walton said they were not questioning the honesty of the Chamber, but had an obligation to the people to know how the money was being spent. City Attorney Mullen said the Council's obligation was to see that the money was spent within the terms of the contract, but that it could be accounted for in general areas and not necessarily to every penny. City Manager Graves read the terms of the contract for the information of those present.

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Stating that the Chamber had done a terrific job, Councilman Brown moved that \$5,500 be allocated to the Chamber for promotional activities and \$1,500 for Christmas decorations. His motion was seconded by Councilman Culbertson. City Manager Glaves stated that some type of fund was needed for entertaining visitors. At the present time individuals are paying the costs of such entertainment out of their own pockets. Councilman Dow moved to amend the motion of Councilman Brown by reducing the amount for commercial promotion to \$250. His motion died for lack of a second. Councilman Walton said he felt the \$7,000 requested was in order but that next year the budget request should be submitted in more detail and in sufficient time for study before passage of the budget. The motion carried by unanimous vote.

VISITORS'  
FUND FOR  
CHAMBER OF  
COMMERCE

Councilman Brown moved that \$500 be allocated to the Chamber of Commerce as a separate fund for visiting dignitaries and guests. His motion was seconded by Mayor Kirsten. Councilman Dow moved that the matter be tabled until a study thereof was made by the administration. His motion died for lack of a second. Councilman Walton said it was incumbent on the City to entertain dignitaries. Councilman Culbertson said he favored the idea in principle. Councilman Dow felt that some of the money the Chamber was budgeting for commercial promotion should be used to host important guests. The motion to allocate \$500 to the Chamber as a host fund was carried, with Councilman Dow voting no.

SAN JOAQUIN  
COUNTY SAFETY  
COUNCIL

Mr. Jan Ostrander, Secretary-Manager of the San Joaquin County Safety Council informed the Council that the \$350 increase requested over last year's \$1,000 was not a departure from the five cents per capita formula used in previous years. Councilman Culbertson explained that until two or three years ago the City of Stockton had been carrying the bulk of the load so a five cents per capita method of sponsoring the Safety Council had been adopted. Mr. Ostrander described the services of the County Safety Council and Mr. Dom Di Franco, President of the Lodi Safety Council, explained the activities of the local group. On motion of Councilman Walton, Dow second, the Council approved the allocation of \$1,350 for the San Joaquin County Safety Council.

JAYCEES

Mr. Mike Lapenta, 431 South Lee Avenue, representing the Lodi Junior Chamber of Commerce, presented that organization's request for \$500 for the purpose of promoting the City by bidding to host the "Ten Outstanding Youth" program in Lodi. It was requested that in the future the Junior Chamber present its request earlier and that it be more specific as to how the money was to be spent. The allocation of \$500 to the Junior Chamber of Commerce was approved on motion of Councilman Culbertson, Brown second.

LIBRARY

Mr. Robert Bainbridge, 420 West Locust Street, Library Board Trustee, reported that the Library budget for 1965-66 was 6.2% higher than last year, most of the increase being due to increase in staff costs. Also, because of salary increases, there is a deficit of \$1,075 in the 1964-65 budget. Mr. Bainbridge said the 18¢ tax rate for the Library would not cover the proposed budget. City Manager Glaves stated the Council can establish levels of service and he felt money from the General Fund should not be used for the Library. He suggested that in order to avoid an increase in taxes the General Fund tax could be reduced one cent in order to increase the Library tax by that amount. City

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Librarian Leonard Lachendro stated there was nothing illegal about going to the General Fund to help support the Library and City Attorney Mullen agreed that he knew of no prohibition of using General Fund monies for the Library. Stating that using money from the General Fund was the best way to take care of the deficit, Councilman Walton moved that \$1075 be taken from the General Fund to cover the 1964-65 Library deficit. His motion was seconded by Councilman Dow and carried. Councilman Dow said the Library needed a contingency fund. City Manager Graves questioned the propriety of co-mingling the Library with the General Fund. Pointing out that the Library would have a deficit of \$4400 in 1965-66 with an 18¢ tax rate, Councilman Culbertson moved that the Library budget be approved as presented and that the City transfer \$10,000 from the General Fund to the Library Fund to make up the deficit and provide a surplus. His motion was seconded by Councilman Walton. City Manager Graves said the Council could either approve or reduce the Library budget and there could be other methods of handling this problem. Councilman Culbertson said in the past the Library has had a surplus, but now it has been depleted and the Council has the right to transfer money from the General Fund which would serve the same purpose as changing the tax rate. After further discussion, the motion passed by unanimous vote.

**SANITARY  
LANDFILL**

The Council then discussed the operation of the Harney Lane Sanitary Landfill. The area has become unsightly with various piles of junk and debris. Mr. Graves explained that the operation has become larger and more difficult to handle, but he feels with the recent change in personnel the situation will improve. Councilman Culbertson asked that another report on the condition of the landfill be made to the Council in three months.

**BUDGET  
APPROVED  
ORD. NO. 794  
INTRODUCED**

After completing the review of the budget and making no further changes, it was moved by Councilman Culbertson that the Council introduce Ordinance No. 794 adopting the operating budget for the 1965-66 fiscal year. His motion was seconded by Councilman Dow and carried by unanimous vote.

**VISITOR FROM  
JAPAN**

Mayor Kirsten announced that Akio Kawaguchi, a young Japanese university student making a bicycle tour of California cities having sister cities in Japan, would be arriving at the City Hall on June 17 between 9:30 and 10 a.m. and he invited those who could to be present.

**THANKS TO  
BOND ELECTION  
WORKERS**

Councilman Brown moved that a letter of thanks be sent to those who had helped in the passage of the bond measures on June 8, including the "Lodi News Sentinel," the "Stockton Record," and the Citizens Bond Committee. His motion was seconded by Mayor Kirsten and carried unanimously.

**TWIN OAKS WEST  
UTILITIES**

Mr. Graves notified the Council that the subdividers of Twin Oaks West Subdivision had decided to have the City put in the utilities.

**ADJOURNMENT**

There being no further business, the City Council adjourned at 11 p.m. on motion of Councilman Dow, Walton second.

*Beatrice Garibaldi*  
Attest: BEATRICE GARIBALDI  
City Clerk